

**BOROUGH ALLENHURST
PLANNING BOARD**

**RESOLUTION No.
12-6-2023(1)**

Whereas, 2 Allen Avenue, LLC, the record owners of the property has applied to the Planning Board of the Borough of Allenhurst for variance relief and Certificate of Appropriateness approval at the premises located at 2 Allen Avenue, Borough of Allenhurst and known as Block 2, Lot 7 on the official tax map of the Borough of Allenhurst which premises are located in R-1 Zone. The consideration of the variance and Certificate of Appropriateness requires Planning Board approval.

The lot is 16,130 square feet with a single-family two story home and a detached garage.

The Applicant proposes to demolish the existing home and construct a 3-story wood-framed single-family dwelling, front covered entry, covered outdoor living space and patio with a detached garage.

Hearings were held on June 21, 2023, August 16, 2023, and November 8, 2023.

Whereas, the Board after carefully considering the evidence presented by the Applicant, the Applicant's expert, and the comments, if any, by the general public, has made the following factual findings:

1. The Applicant is the owner of the property.
2. The Applicant was represented by Mark Aikins, Esq and Robert Pierce, Esq.
3. The Applicant presented the testimony of Robert Adler, a New Jersey licensed architect.
4. The Applicant presented the following exhibits:

- A-1 Application dated 4/4/23.
- A-2 Zoning denial letter dated 2/23/23.
- A-3 Plot plans dated 2/15/23.
- A-4 Architectural plans dated 3/24/23.
- A-5 Notice.
- A-6 Historical/current images of the property.

- A-7 Adler report regarding existing conditions of home.
- A-8 Photographs of architectural features throughout Allenhurst.
- A-9 Plot plan revised 8/16/23.
- A-10 Photographs.
- A-11 Revised architectural plans dated 10/4/23.
- A-12 Revised plot plan dated 9/8/23.
- A-13 Comparison on neighborhood homes.
- A-14 Rendering of proposed residence.
- A-15 Aerial of proposed new residence.
- A-16 3D image of proposed residence.
- B-1 Avakian letter dated 6/19/23.
- B-2 Chris McLoughlin certification.
- B-3 Avakian letter dated 10/6/23.

5. It has been determined that Applicant's proposal requires variance and Certificate of Appropriateness approval.
6. It has been determined that the existing home is in structural disrepair. There is floor joist deterioration, structural issues and deforming/cracking of the foundation.
7. Despite having been built by 1905, the home no longer exhibits historic qualities due to modifications over the years.
8. The Board finds that is appropriate to allow for the demolition of the existing dwelling.
9. There will be a basement under the detached garage. There will be a basement under the new dwelling and the outdoor living space.
10. Applicant seeks 9 foot ceilings for the basement but agrees that the ceiling height will be limited to the results of soil borings. The new basement will not result in water displacement and the ceiling heights will be adjusted accordingly if needed.
11. There will be no living or habitable space in the basement.

12. The basement under the house will be used for storage and laundry.
13. The basement under the house will be connected to the basement under the garage by underground tunnel.
14. There will be no outside access to the basement.
15. The generator will be placed in the basement subject to applicable construction codes.
16. Any sump pump shall not be discharged into the roadway and/or off property.
17. The roof of the home and detached garage will be cedar shingle.
18. There will be stone wrap around the base of the dwelling.
19. The siding will be cedar shingle for the dwelling and detached garage.
20. Trim will be of azak material.
21. Rails will be azak material.
22. The chimney will be brick with a stone base. There will be a herring bone design feature in the chimney, which will contain an arch design.
23. The masonry stairs on the property will be aligned with the front entrance of the house.
24. The existing gates on the property will remain.
25. The driveway will not be a "ribbon" driveway.
26. The window on the west elevation will be round instead of oval as testified to at the hearing.
27. Existing landscape to remain at current height.
28. Utilities will remain underground as they currently exist.
29. The second level of the garage will be used for storage only. There will be no living space in the second level of the garage.
30. The garage door will be 9 feet wide and 8 feet tall.
31. The outdoor living space of the dwelling will have glass doors to enclose same. It will be heated and cooled.
32. Railing on the first level will be an "Allenhurst" rail and 30 inches height.
33. The railings on the second and third levels will be 36 inches in height.
34. A drywell will be designed and installed to address the impervious coverage over the permitted 40%.
35. The detached garage siding will match the siding of the home.
36. The two story glass "wall" originally proposed for the front of the house has been modified to reflect a balcony on the second floor. The glass "wall" is no longer proposed by the Applicant.
37. The minimum permitted front yard setback is 50 foot average. Currently existing is

- 35 feet, which is nonconformity. Applicant proposes 35 feet. **A variance is required.**
38. The minimum combined side yard setback permitted is 27 feet. Currently existing is 134.5 feet. Applicant proposes 90.7 feet, which conforms.
39. The minimum rear yard setback permitted is 18 feet. Currently existing is 15.2, which is a non-conformity. Applicant proposes 14.8 feet. **A variance is required.**
40. The maximum building coverage permitted is 3,226 square feet. Currently existing is 1,419 square feet. Applicant proposes 3,087 square feet, which conforms.
41. The maximum impervious coverage permitted is 40%. Currently existing is 22.3%. Applicant proposes approximately 42.5%. **A variance is required.**
42. The minimum first floor area permitted is 1,110 square feet. Currently it is not reported. Applicant proposes 3,230 square feet, which conforms.
43. The minimum gross floor area permitted is 2,220 square feet. Currently it is not reported. Applicant proposes 7,841 square feet, which conforms.
44. The maximum porch projection permitted is 10 feet. Currently it is not reported. Applicant proposes 0 feet, which conforms.
45. The maximum building height permitted is 2 ½ stories (35 feet). Currently existing is 2 stories, which is nonconforming. Applicant proposes 3 stories (38 feet). **A variance is required.**
46. The permitted habitable floor area is 3 stories. Currently existing is 3 stories. Applicant proposes 3 stories, which complies.
47. The maximum permitted accessory building coverage is 35%. Currently existing is 13.5%. Applicant proposes 16.8% which conforms.
48. The minimum side yard setback permitted is 7.8 feet. Currently existing is not reported. Applicant proposes 20.5 feet, which conforms.
49. The minimum rear yard setback permitted is 18 feet. Currently existing is not reported. Applicant proposes 15 feet. **A variance is required.**
50. The minimum driveway width permitted is 9 feet. Currently existing is 9.5 feet. Applicant proposes 9 feet, which conforms.
51. The maximum driveway width permitted is 10 feet. Currently 13.33 feet exists. Applicant proposes 9 feet, which conforms.
52. The maximum curb cut permitted is 12 feet. Currently existing is 11.1 feet. Applicant proposes 9.7 feet, which conforms.
53. The minimum patio side setback permitted, is 18 feet. Currently existing is 9.8 feet. Applicant proposes 41.83 feet, which conforms.
54. The minimum patio rear setback permitted is 18 feet. Currently existing is 94.8 feet. Applicant proposes 6.5 feet. **A variance is required.**
55. The applicant is proposing to remove an existing historical dwelling. **A variance is required.**

56. Allenhurst's Master Plan seeks to achieve the overriding goal of preserving the town's unique character as a historic and tranquil suburban residential community.
57. The unique character is defined, in part, by many homes being built in the 19th and early 20th century.
58. The town has in place a Historic Preservation Ordinance intended to preserve and enhance the historic elements of the town.
59. The Board finds that granting a variance and Certificate of Appropriateness will improve local zoning as it will advance the goal of enhancing and exemplifying the historic architecture of the town.
60. The Board finds that granting the variance will advance the purpose of the zoning ordinance of Allenhurst and its Master Plan as it will preserve the town's unique character as a historic and tranquil suburban residential community.
61. The Board finds that granting the variance will result in a benefit which will substantially outweigh any detriment.

Whereas, the Board has determined that the granting of the requested variances is appropriate, including the demolition of the existing dwelling.

Whereas, the Board has determined that the granting of the Certificate of Appropriateness is appropriate.

NOW, THEREFORE BE IT RESOLVED, by the Planning Board of the Borough of Allenhurst on the 8th day of November 2023, that the requested variances and Certificate of Appropriateness is GRANTED subject to the following conditions:

- (1). The Applicant shall comply with all promises, commitments and representations made at or during the Public Hearing Process.
- (2). The Applicant shall comply with those applicable terms and conditions of the Leon S. Avakian review letters.
- (3). A general note should be added to the plan indicating the existing curb and sidewalk along the frontage will be replaced if found in poor condition.
- (4). The Applicant shall be strictly limited to the plans which are referenced herein and which are incorporated herein at length. All construction shall comply with prevailing provisions of the Uniform Construction Code.
- (5). The Applicant shall obtain all approvals necessary for this project.
- (6). The Applicant shall in conjunction with appropriate Borough Ordinances pay all appropriate/required fees and taxes

(7). Any future improvements will require Planning Board Approval.

(8).The Applicant will obtain all necessary approvals prior to commencing construction. This includes, but is not limited to NJDEP jurisdictional and/or individual permit approval. The Applicant, if applicable, will comply with CAFRA.

As to the APPROVAL of the Certificate of Appropriateness and variance:

Moved by: Varley

Seconded by: Tomaino

ROLL CALL VOTE

Those in favor: Schechner, Costello, Tomaino, Mayor McLaughlin, Bolan, Ryan

Those opposed: Commissioner McLoughlin.

Those recused: Rogers

NOW, THEREFORE BE IT RESOLVED, by the Planning Board of the Borough of Allenhurst on the 6th day of December 2023 that this Resolution be adopted.

Moved by: Varley

Seconded by: Tomaino

ROLL CALL VOTE

Those in favor: Schechner, Costello, Tomaino, Mayor McLaughlin, Bolan, Ryan, Varley

Those opposed: None

Those absent: None

Those not voting: None

The foregoing is a true copy of a resolution adopted by the Planning Board of the Borough of Allenhurst at its meeting on the 6th day of December 2023.

As copied from the minutes

Of said meeting

A handwritten signature in cursive script, appearing to read "Kelly Barrett", written over a horizontal line.

Kelly Barrett

Secretary, Planning Board

Borough of Allenhurst, N.J.

